

Remarks

In the non-final Office Action mailed on May 1, 2006, the Examiner rejected claims 1, 5-6, 8, 12-13, 15, 19-20 under 35 USC § 102(e) as being anticipated by U.S. Patent publication 2003/0158954 (Williams), and rejected claims 2-4, 9-11, 16-18 under 35 USC § 103(a) over U.S. Patent publication 2003/0158954 (Williams) in view of U.S. Patent 5,717,737 (Doviak), and rejected claims 4, 11 and 18 under 35 USC § 103(a) over U.S. Patent publication 2003/0158954 (Williams) and U.S. Patent 5,717,737 (Doviak) in view of U.S. Patent 6,005,929 (Chemin). Claims 1, 8 and 15 are presently amended.

Applicants respectfully traverse the rejections and request reconsideration and withdrawal thereof. Claims 1, 8 and 15 are amended to better define the invention by reciting the call processing system in a mobile switching center (MSC).

§ 102 Rejection

The Examiner rejected claims 1, 5-6, 8, 12-13, 15, 19-20 under 35 USC § 102(e) as being anticipated by U.S. Patent publication 2003/0158954 (Williams). The 35 USC § 102(e) rejections over Williams are traversed because this reference does not teach the system and method of the amended claims. A proper 35 USC §102(e) rejection requires that each and every limitation of the claimed invention be disclosed in a single prior art reference. In addition, the reference must be enabling and describe the applicant's claimed invention sufficiently to have placed it in the possession of a person of ordinary skill in the field of the invention.

Claim 1 describes a wireless communication network that enables a communication device to use different base stations having different protocols, wherein the base stations are adapted to communicate with a call processing system using a different protocol than the base

station. A translator is used with at least one base station to convert the call traffic to a format that is compatible with the call processing system in an MSC.

The Applicants generally submit that Williams does not describe the same type of translation in the same place in a network as described in amended claim 1. Williams describes a radio communication system having a protocol translator that permits normally incompatible communication devices, such as fire and police walkie-talkies, to communicate with each other. The translator as described by Williams is equivalent to the translation between two people speaking different languages, such as German and English. The translator of Williams allows two mobile communication devices to communicate with each other despite the language difference. Even though similar terminology is used, there are significant differences between Williams and the pending claims. In Williams, calls are transferred from a first mobile device to a second mobile device after translation. Williams does not use translation for the benefit of backhauling call traffic from base stations to a call processing system in an MSC. On the other hand, the system of amended claim 1 allows base stations to backhaul call traffic to a call processing system in an MSC in different formats. The format of the Rf communications between the mobile devices is not the focus of amended claim 1 as it is in Williams.

In the wireless communication network of amended claim 1, a first base station transmits call traffic for a call in a first format to a call processing system in an MSC over a backhaul network. A second base station transmits call traffic for a second call in a second format not compatible with the format of the call processing system in an MSC to a translator system over the backhaul network. The first format is a format compatible with the call processing system in an MSC, whereas the second format is not compatible with the call processing system in an MSC. The translator system converts the second call traffic from the second format to the first

format compatible with the call processing system in an MSC, and transmits the second call traffic in the first format to the call processing system in an MSC. The call processing system in the MSC processes the first call traffic in the first format, and processes the second call traffic from the base station after being converted to the first format.

At least one limitation of amended claim 1 not disclosed by Williams is a call processing system in a mobile switching center (MSC) adapted to process call traffic. The Examiner asserts that paragraph 11 of Williams describes a call processing system coupled to a backhaul network. The Applicants disagree. Paragraph 11 of Williams describes a repeater station for expanding the range of the software defined translator to cover additional regions. The repeater station(s) in Williams is simply used to amplify signals received by an antenna from a mobile device, and to transport the amplified signal to the translator. The repeater station does not perform any call processing functions in an MSC, but rather extends the range of the translator and facilitates the transmission of the communication from a first mobile device to a second mobile device by amplifying signals.

Another limitation of amended claim 1 not disclosed by Williams is a translator system coupled to the backhaul network and to the call processing system, where the translator system, responsive to receiving the call traffic, converts the call traffic to the first format of the call processing system and transfers the call traffic to the call processing system. As stated above, Williams does not disclose a call processing system in an MSC, and further does not disclose a translator for converting call traffic to a format for use by a call processing system in an MSC. Further, Williams is concerned with the protocol of the Rf transmission between differing mobile devices. On the other hand, amended claim 1 describes a call processing system in a MSC adapted to process call traffic received over a backhaul network from base stations. The claimed

call processing system in an MSC is configured to process call traffic in a specified format. If a base station is utilized in the system that has a format that the call processing system in an MSC is unable to understand, then the translator translates the call traffic from a base station to a format that the call processing system in an MSC understands. In reverse direction, the translator translates call traffic from a format the call processing system in an MSC understands to a format that the base station understands (e.g., from the first format to the second format). On the other hand, the translator in Williams does not translate call traffic to a format used by a call processing system in an MSC for transporting the call. Rather, Williams discloses translating communications from a format one mobile device uses to a format used by another mobile device.

The translator in Williams is positioned between a first mobile communication device, such as a walkie-talkie, and a second mobile device. Repeater stations may be additionally positioned between the translator and the mobile devices to extend the range of the translator. By contrast, the translator in amended claim 1 is positioned between the call processing system and a base station. Thus, the translator in Williams is not implemented in the same location in the network as in amended claim 1. Another limitation of amended claim 1 not disclosed by Williams is that the translator system receives the second call traffic in the second format from the second base station system, converts the second call traffic from the second format to the first format and transfers the second call traffic in the first format to the call processing system in an MSC.

Williams operates by receiving a call from a first mobile device in a first format, such as a police band, and translates the call to a second format that a second mobile device can understand, such as a fire department band. The translator and communication network of

Williams is positioned between the mobile devices to serve communication signals of different formats between the first or second mobile device. The translator in Williams generates a format for use by either mobile device, and does not generate a format for use by elements along the backhaul network, such as a call processing system in an MSC. For the reasons stated above, Williams does not teach that the translator system receives the second call traffic in the second format from the second base station system, converts the second call traffic from the second format to the first format and transfers the second call traffic in the first format to the call processing system in an MSC.

Based on the above remarks, the Applicants submit that Williams does not anticipate claim 1 because it does not describe each and every element of the amended wireless communication network of claim 1. The same arguments apply to claims 2-20.

§ 103 Rejection

The Examiner rejected claims 2-4, 9-11, and 16-18 under 35 USC § 103(a) over U.S. Patent publication 2003/0158954 (Williams) in view of U.S. Patent 5,717,737 (Doviak). The Examiner rejected claims 4, 11 and 18 under 35 USC § 103(a) over U.S. Patent publication 2003/0158954 (Williams) and U.S. Patent 5,717,737 (Doviak) in view of U.S. Patent 6,005,929 (Chemin).

The 35 USC § 103(a) rejections are traversed because these combination of references do not describe or enable all of the limitations of claims 1, 8 and 15, on which claims 2-7, 8-14 and 16-20 depend on. In regard to this argument, the arguments identified above in the 35 USC § 102 rejection are restated.

Conclusion

For the reasons provided above, the Applicants submit that claims 1-20 are allowable over the art cited by the Examiner. The Applicants respectfully ask the Examiner to reconsider his position in view of the above remarks, and allow the pending claims.

Respectfully submitted,

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SIGNATURE OF PRACTITIONER

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